

ELLEN F. ROSENBLUM
Attorney General
MARC ABRAMS #890149
Assistant Attorney-in-Charge
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301
Telephone: (503) 947-4700
Fax: (503) 947-4791
Email: marc.abrams@doj.state.or.us
Additional attorneys listed on signature page

Attorneys for Plaintiffs State of Oregon, Kate Brown, and Ellen Rosenblum

TRACY P. REEVE #891123
City Attorney
DENIS M. VANNIER #044406
Senior Deputy City Attorney
Portland Office of the City Attorney
1221 SW Fourth Avenue, Suite 430
Portland, OR 97204
Telephone: (503) 823-4047
Fax: (503) 823-3089
Email: Denis.Vannier@portlandoregon.gov

Attorneys for Plaintiff City of Portland

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

THE STATE OF OREGON, KATE BROWN,
Governor; ELLEN ROSENBLUM, Attorney
General; and THE CITY OF PORTLAND,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United
State, in his official capacity; MATTHEW G.
WHITAKER, Acting Attorney General of the
United States, in his official capacity; and the
UNITED STATES OF AMERICA,

Defendants.

Case No. 6:18-cv-01959-MC

**MOTION TO ALLOW MOTION FOR
SUMMARY JUDGMENT TO EXCEED
PAGE/WORD COUNT LIMITS**

LR 7-1 CERTIFICATION

Plaintiffs have conferred with defendants, who have no objection to this motion.

**MOTION TO ALLOW RESPONSE TO MOTION TO DISMISS/MEMORANDUM FOR
MOTION FOR SUMMARY JUDGMENT TO EXCEED PAGE/WORD COUNT LIMITS**

Defendants move this Court for an order, pursuant to LR 7-2 and Fed. R. Civ. P. 56, allowing the filing of a memorandum in support of its motion for summary judgment of up to 15,000 words or 45 pages, exclusive of the caption, table of contents, table of cases and authorities, signature block, exhibits and certificates of counsel.

The case involves a rather large set of discrete events and facts pertaining to the constitutionality of the federal government's withholding of funds to the State and the City of Portland under the Byrne JAG program. The case raises issues of standing; separation of powers; Tenth Amendment constraints on the federal government; and constraints on the administrative branch of the federal government under the constitution, Article 1, section 8, clause 1, among other issues. There are, accordingly, multiple claims to address. The addition

of this amount of material above the LR 7-2 limit is required fully to set forth the defenses in this matter.

DATED March 15, 2019.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ Marc Abrams

MARC ABRAMS #890149
Assistant Attorney-in-Charge
TIMOTHY SMITH #914374
Senior Assistant Attorney General
PEENESH SHAH #112131
Assistant Attorney General
JUSTIN KIDD #094070
Assistant Attorney General
Trial Attorneys
Tel (503) 947-4700
Fax (503) 947-4791
Marc.Abrams@doj.state.or.us
Tim.Smith@doj.state.or.us
Peenesh.H.Shah@doj.state.or.us
Justin.Kidd@doj.state.or.us
Of Attorneys for Plaintiffs State of Oregon,
Kate Brown and Ellen Rosenblum

TRACY P. REEVE #891123
Portland City Attorney

s/ Tracy P. Reeve

DENIS M. VANNIER #044406
Senior Deputy City Attorney
NAOMI SHEFFIELD #170601
Deputy City Attorney
Tel: (503) 823-4047
Fax: (503) 823-3089
Denis.Vannier@portlandoregon.gov
Naomi.Sheffield@portlandoregon.gov
Of Attorneys for Plaintiff City of Portland